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Serbia: Rights of Montenegrin citizens who live in Serbia since the independence of Montenegro in June 2006
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

In 1992, following the collapse of the Socialist Federal Republic of Yugoslavia caused by the departure of four of its six constituent republics, the two remaining republics of Montenegro and Serbia formed the Federal Republic of Yugoslavia (BBC 2 Feb. 2007). Following a 21 May 2006 referendum, Montenegro declared itself independent from Serbia on 3 June 2006 (UN n.d.), and Serbia became the successor state of the now defunct Union of Serbia and Montenegro (BBC 2 Feb. 2007).

There are reportedly 270,000 Montenegrin citizens living in Serbia (Serbia 1 June 2006; *Le Courrier des Balkans* 15 May 2006).

Three weeks before Montenegro declared independence, an article from the Belgrade-based daily *Danas*, appeared on *Le Courrier des Balkans* Web site citing various Serbian media reports (ibid.). According to the article, several unnamed Serbian ministers warned that Montenegrin citizens would lose many rights in Serbia if they voted for independence (ibid.). For example, Belgrade daily *Blic* cited Serbian officials as stating that Montenegrin citizens would lose [translation] "the right to vote and run for elections, the right to exercise certain functions in Serbia such as [acting as] judge or prosecutor, etc." (ibid.). Belgrade daily *Glas Javnosti* reported that while the Minister of Education and Sport reportedly announced that Montenegrin students would lose their status in Serbia, he later stated that their rights would remain the same as those of Serbian students and that they would continue to pay the same fees (ibid.). According to *Danas*, the Serbian Ministry of Labour, Employment and Social Affairs stated that after independence, Montenegrin citizens would only be entitled to work permits if they presented a temporary or permanent residence certificate (ibid.). Due to some of these warnings, many Montenegrins reportedly applied for Serbian citizenship (ibid.). However, further or corroborating information into these warnings, or if they were ever realized post-independence, could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Acquisition of Serbian citizenship

On 30 June 2006, the Belgrade-based B92 radio and television station reported on a declaration given by the Serbian government that, upon request, all Montenegrin citizens who had residences on the territory of Serbia during the existence of the united Serbia and Montenegro would be entitled to Serbian citizenship.

On 16 July 2006, the Podgorica-based daily *Dan* further reported that the Serbian government had drafted amendments to its Law on Citizenship, which would entitle all willing Montenegrin citizens to obtain Serbian citizenship, including those who voted for Montenegrin independence in May 2006. According to Vojislav Vukcevic, Serbian minister for the diaspora, Montenegrins would encounter few hassles during the procedure to obtain Serbian citizenship (*Dan* 16 July 2006). According to the Serbian government, which "wholeheartedly supported" the proposal, "most of those who apply for dual citizenship will be Serbs from Montenegro" but the government will not "make a distinction between Montenegrin citizens" (ibid.).

On 25 July 2006, Belgrade-based Studio B TV indicated that the tax that Montenegrin citizens living in Belgrade have to pay to acquire Serbian citizenship was lowered from 10,000 dinars [approximately CAD 200 (XE.com 21 Mar. 2007b)] to 1,250 dinars [approximately CAD 25 (XE.com 21 Mar. 2007a)]. Those who have already paid the higher price will receive a refund (Studio B TV 25 July 2006).

In November 2006, Serbian media reported that more than 9,000 Montenegrin citizens had applied for Serbian citizenship that year (FoNet 11 Dec. 2006; *Politika* 8 Nov. 2006). According to the Belgrade-based daily *Politika*, this is four times higher than the number in 2005, although the newspaper added that not all applicants would be successful in obtaining citizenship (ibid.).

In a 16 December 2006 interview with Belgrade daily *Vecernje Novosti*, Montenegrin Minister of Internal Affairs Jusuf Kalamperovic indicated that "Montenegrin citizens living in Serbia have been given a deadline to apply to become Serbian citizens, but they will not have to lose their Montenegrin citizenship." No information on the

actual deadline could be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Information on people who choose Montenegrin citizenship but remain in Serbia could not be found among the sources consulted by the Research Directorate.

Minority status

In an October 2006 article from the Podgorica-based daily *Vijesti* and appearing in *Le Courier des Balkans*, Mirko Zecevic, president of the National Community of Montenegrins of Belgrade, called for Serbian recognition of national minority rights for the Montenegrin community of Serbia (26 Oct. 2006). According to Zecevic, Serbian authorities are reluctant to recognize Montenegrins as an official minority in Serbia, and as a result Montenegrins are undergoing rapid cultural assimilation (*Le Courier des Balkans* 26 Oct. 2006). Before Montenegrin independence, Zecevic stated that thousands of Montenegrins had already lost their jobs in Serbia (ibid. 15 May 2006), although Zecevic's claims could not be corroborated by the Research Directorate within the time constraints of this Response.

In July 2006, the *Financial Times* reported that "Montenegrin citizens continue to enjoy affordable domestic rates for Serbian healthcare and education" (13 July 2006). Further or corroborating information to this effect, however, could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Pensions

In August 2006, *Blic* reported on a disagreement between the Montenegrin and Serbian governments over bilateral payments of pension and welfare benefits (12 Aug. 2006). Montenegrin Minister of Labour and Social Welfare Slavoljub Stijepovic complained that Serbia was failing to pay benefits to Montenegrin citizens who had acquired pensions in Serbia (*Blic* 12 Aug. 2006). Serbian Minister of Labour, Employment and Social Policy Zoran Panovic countered that pension payments were generally late for all beneficiaries in Serbia and that Montenegrin pensioners were not being treated differently (ibid.). Panovic added that Montenegrin citizens who earned their pensions in Serbia would indeed be entitled to their pensions from Serbia, but noted that Serbia was still working on the legal procedures for transferring pensions to Montenegro now that it was an independent state (ibid.). Nevertheless, Panovic indicated that save for a few "non-standard demands from the Montenegrin side," most of the draft interstate agreement on social welfare had been agreed upon (ibid.).

Identity documents

Regarding travel documents, the Web site of the Ministry of Foreign Affairs of the Republic of Serbia notes that, according to the Law on Travel Documents of Yugoslav Nationals of 26 July 1996, "Serbia and Montenegro nationals are entitled to only one travel document of the same type" (Serbia n.d.). The April 2007 edition of the International Air Transport Association's *Travel Information Manual* (TIM) notes that citizens of both Montenegro and Serbia will continue to travel on passports issued after 1 March 1997 by the Federal Republic of Yugoslavia "until such time that each republic begins to issue their own national passport" (398). Citizens of Montenegro do not require a visa to enter Serbia (TIM Apr. 2007, 398; Montenegro n.d.).

In February 2007, the Serbian Ministry of Foreign Affairs signed a memorandum, valid for one year and renewable, which guarantees "the provision of consular protection and services to Montenegrin citizens in Serbia's diplomatic and consular missions abroad" (TV Crna Gora 13 Feb. 2007).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral sources: The Embassy of Serbia in Ottawa and the Embassy of Montenegro in Washington, DC could not provide information within the time constraints of this Response.

Internet sources, including: Council of Europe (COE), European Country of Origin Information Network (ecoi.net), Foreign Affairs and International Trade Canada, Helsinki Committee for Human Rights in Serbia, International Helsinki Federation for Human Rights (IHF), Legislationline, Office of the United Nations High Commissioner for Refugees (UNHCR), Organization for Security and Co-operation in Europe (OSCE), Radio Free Europe/Radio Liberty (RFE/RL), Serbian Ministry of Education and Sports, Serbian Ministry of the Interior, Serbian Ministry of Labour, Employment and Social Affairs, Serbian Ministry of Public Administration and Local Self Government, United States Department of State.

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